

How to Ask for a Legal Separation

For spouses/registered domestic partners who agree

Use this packet ONLY if:

- You and your spouse or registered domestic partner **agree** on the terms of your legal separation, and
- Your spouse or registered domestic partner **will sign** the court papers to show that s/he agrees.

Important! If one of you is pregnant now, or a child was born after you separated, the other spouse/registered domestic partner is considered the *legal* parent. If you do not think the other spouse/registered domestic partner is the parent, in most cases you can ask the court to determine who the legal parents are (parentage) by filing a case to disestablish paternity **before** the child turns **4** years old. Parentage needs to be determined for any child born during the marriage **before** your case is finalized. If you are in this situation, talk to a lawyer.

Talk to a lawyer, if you can

These instructions are legal *information*, not legal *advice*. It's a good idea to talk to a lawyer before you file any forms. If you cannot afford a lawyer, you can:

- Find a lawyer to help you with the *most difficult* parts of your case, such as reviewing your forms, explaining how to get ready for court and confirming this is the best legal action for your case. You can contact the King County Bar Association to ask for a referral.
- Ask the Family Law Facilitator's office for a list of low-cost and free legal resources.

Step 1: Fill out these forms

All of these forms in Step 1 can be downloaded at: www.kingcounty.gov/courts/scforms.aspx

Form Name	Form Number	Notes	Completed
Case Information Cover Sheet			<input type="checkbox"/>
Confidential Information Form	DRPSCU 09.0200		<input type="checkbox"/>
Vital Statistics form			<input type="checkbox"/>

Step 2: Fill out these forms and make copies

All of these forms in Step 2 can be downloaded at: www.courts.wa.gov/forms/

Petition for Legal Separation	DR 01.0110	DR 01.0115 for Registered Domestic Partnerships	<input type="checkbox"/>
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If you have children under the age of 18 born during your marriage, you will also need these forms

Parenting Plan (Proposed)	DR 01.0400		<input type="checkbox"/>
Declaration Regarding Public Assistance	DRPSCU 01.0600		<input type="checkbox"/>

How many copies do I need?



- **Original** set to file with the Clerk's office.
- Copy **1** is for your records.
- Copy **2** is to give to the other party.
- Make a **3rd** copy if you have a child(ren) who has received public assistance at some point. You must deliver copies of your filed forms to the King County Prosecuting Attorney's Office, Family Support Section.

Step 3: Take your original forms to the Clerk's Office and pay a fee

The Clerk will ask you to pay a filing fee. If you cannot afford to pay the fee, ask for an application to let you file for free. This application is called a *Motion and Declaration for Waiver of Civil Filing Fees and Surcharges* ([Kent](#) or [Seattle](#)).

Important! When you file your forms, the clerk will give you two copies of your *Case Schedule*. You will keep 1 copy for your records and give one copy to the other party

Step 4: You and your spouse/registered domestic partner must go to a family law class

You **must** both go to a class, called *Family Law Orientation*. This class will explain how the courts handle divorces. And it will tell you where you can find information and help. The deadline to complete this class is listed on your *Case Schedule*.

Go to [Family Court Services](#) to find out the cost and how to sign up.

If you have children under 18, you must both go to a parenting class

Both parents **must** go to a parenting class called *What About the Children*. You must complete the class by the deadline listed on your *Case Schedule*.

Go to [Family Court Services](#) to find out the cost and how to sign up.

Step 5: Choose a date to go to Court to finish your legal separation

To finish your legal separation, you must fill out and file the *Note for Motion Docket* ([Kent](#) or [Seattle](#)). That form lets you choose a date for your court hearing. The date you choose **must** be at least **14 days** after the day you file the *Note for Motion Docket*.

Important! If you are not ready to finish your legal separation, you can file your papers in Steps 1 and 2, and file the *Note for Motion Docket* form when you are ready. Continue to follow your case schedule.

Step 6: Look at your Joinder (last page of your *Petition* or separate “*Joinder*” form)

If your spouse or registered domestic partner checked the box “I demand notice of all further proceedings in this matter,” s/he must:

- Sign the completed documents in Step 7, or
- You must give him/her the *Note for Motion Docket*, along with completed documents in Step 7, 14 days before the hearing date for personal service, or 17 days before the hearing date if mailed.

You must take a completed *Declaration of Mailing* form to your hearing to prove that your spouse/partner was properly served.

Step 7: Go to your court hearing to finalize your legal separation

Fill out these forms and bring them to your hearing. You may have to pay a fee for review of your documents at the final hearing.

All of these forms in Step 7 can be downloaded at: www.courts.wa.gov/forms/

Findings of Fact/Conclusions of Law (Marriage)	DR 04.0300	Use DR 04.0305 for Registered Domestic Partnership	<input type="checkbox"/>
Decree of Legal Separation	DR 04.0400	Use DR 04.0405 for Registered Domestic Partnership	<input type="checkbox"/>

If you have children under the age of 18 you will also need

Parenting Plan (Final)	DR 01.0400		<input type="checkbox"/>
Child Support Order	DR 01.0500		<input type="checkbox"/>
Child Support Worksheets	WSSCS-Worksheets	Use WSSCS-Worksheets RDP for Registered Domestic Partnership	<input type="checkbox"/>
Child Support Schedule & Instructions	Use this information to calculate Child Support Worksheets. Online Child Support Calculation software is available at https://fortress.wa.gov/dshs/csips/ssgen/		

You may also need these forms

Restraining Order	DR 04.0500		<input type="checkbox"/>
Law Enforcement Information Sheet	WPF All Cases 01.0400		<input type="checkbox"/>